

# **Exhibit D**

**Shrestha, Roshan P.**

---

**From:** Shrestha, Roshan P.  
**Sent:** Wednesday, April 20, 2022 3:58 PM  
**To:** Halkowski, Nicholas; Alul, Andrew M.; Jack Phillips; Megan C. Haney  
**Cc:** Dellinger, Megan E.; Bank, Jeffrey; Poonai, Alexander; Devine, Wendy; Hanson, Tina; Johnson, Aaron; cjkelly@mayerbrown.com  
**Subject:** RE: Azurity/Bionpharma (21-1286 & 21-1455) // Interim Joint Status Report

Counsel:

In light of the fact that the parties submitted to the Court a status report just last week (pursuant to the Court's March 30th order, 21-1286 D.I. 151), and the fact that we have a status conference with the Court set for next Monday, we think submission of yet another status report to the Court at this time would be redundant and of little value to the Court and the parties. We suggest submitting a stipulation and proposed order continuing the deadline for an interim status report set forth in Paragraph 14 of the Scheduling Order (21-1286 D.I. 126) until sometime in mid-June or July of this year. Please let us know your thoughts.

Separately, we point out that the parties have yet to comply with Paragraph 3 of the Scheduling Order, which requires the parties to submit and docket in the Third Wave Suits the protective order from the First Wave Suits. When we left off on this topic, Azurity was interested in seeking a modification to the protective order that would allow Hanok George, Azurity's in-house counsel who also has responsibility for prosecution of Azurity's enalapril liquid patent family, access to pleadings and briefs that contain confidential Bionpharma financial information. While Bionpharma will not agree to a wholesale removal of the patent prosecution bar the parties have already agreed to, we are willing to consider a carve out that would allow Mr. George access to pleadings and briefs that contain Bionpharma's confidential financial information, as long as any confidential technical information regarding Bionpharma's ANDA product is redacted out. If Azurity agrees to this compromise, please send us over a markup of the First Wave Suits protective order that includes Azurity's proposed carve out language for Mr. George. Otherwise, Bionpharma intends on submitting to the Court for docketing the First Wave Suits protective order as is, as required by Paragraph 3 of the Scheduling Order.

Please get back to us on these issues as soon as possible.

- Roshan

**Taft /** **Roshan P. Shrestha, Ph.D.**, Partner  
Intellectual Property/Patent; Litigation  
Direct: 312.840.4339 | Office Ext: 34339  
Taft Office: Chicago

---

**From:** Halkowski, Nicholas <nhalkowski@wsgr.com>  
**Sent:** Wednesday, April 20, 2022 1:33 PM  
**To:** Shrestha, Roshan P. <rshrestha@taftlaw.com>; Alul, Andrew M. <AAlul@taftlaw.com>; Jack Phillips <JCP@PMHDELaw.com>; Megan C. Haney <mch@PMHDELaw.com>  
**Cc:** Dellinger, Megan E. <mdellinger@morrisnichols.com>; Bank, Jeffrey <jbank@wsgr.com>; Poonai, Alexander <apoonai@wsgr.com>; Devine, Wendy <wdevine@wsgr.com>; Hanson, Tina <thanson@wsgr.com>; Johnson, Aaron

<AJohnson@Taftlaw.com>; cjkelly@mayerbrown.com

**Subject:** Azurity/Bionpharma (21-1286 & 21-1455) // Interim Joint Status Report

[EXTERNAL MESSAGE]

Counsel,

Attached is a draft of the interim joint status report due this Friday, April 22. We can discuss, if necessary, this afternoon on our call.

**WILSON  
SONSINI**

**Nicholas Halkowski | Associate | Wilson Sonsini Goodrich & Rosati**

One Market | Spear Tower | San Francisco, CA | 94105-1126 | direct: 415-947-2126 | [nhalkowski@wsgr.com](mailto:nhalkowski@wsgr.com)



This email and any attachments thereto may contain private, confidential, and privileged material for the sole use of the intended recipient. Any review, copying, or distribution of this email (or any attachments thereto) by others is strictly prohibited. If you are not the intended recipient, please contact the sender immediately and permanently delete the original and any copies of this email and any attachments thereto.